

CHRC

California Hydropower Reform Coalition
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Little Hoover Commission
925 L Street, Suite 805
Sacramento, CA 95814

RE: CHRC's Comments on the Governor's Proposed Energy Reorganization Plan

The California Hydropower Reform Coalition (CHRC) would like to take this opportunity to comment on the Governor's Proposed Energy Reorganization Plan.

The CHRC represents over 30 national, state, and local organizations dedicated to the protection and restoration of California rivers affected by hydropower operations. When licenses for non-federal hydropower projects expire, dam owners must apply to the Federal Energy Regulatory Commission (FERC) for new licenses that will govern project operations for the next 30 to 50 years. The CHRC works closely with dam owners and agencies, such as the State Water Resources Control Board and California Department of Fish and Game, to craft new licenses that reflect the public's demand for healthy, vibrant rivers that support fish, wildlife, and recreation, as well as electricity. The State Water Resources Control Board and California Department of Fish and Game, charged with protecting California's waterways and wildlife, respectively, play a critical role in designing conditions for new licenses to positively impact the health of our public rivers.

The CHRC is unclear how the Reorganization Plan would affect the ability of these agencies to participate in FERC hydropower licensing proceedings. Because these agencies bring such a specific level of expertise to the FERC process, we are concerned with the following proposed addition to the Public Utilities Code 335(f):

Serve as the representative of the state and its consumers in all proceedings before the Federal Energy Regulatory Commission. If the Office of Energy Market Oversight determines that the participation of any other agency of the state is necessary in any federal energy regulatory proceeding, the Office of Energy Market Oversight shall serve as lead and shall ensure that all positions advocated are consistent with policies set forth in state law and with the policies of the Department of Energy.

This language implies the Energy Secretary and Energy Market Oversight Office would represent the State Water Board and Department of Fish and Game in FERC hydropower licensing proceedings. Both agencies have developed a considerable amount of experience and knowledge with FERC licensing, and are most qualified to represent the state in matters concerning how hydropower affects California's water and natural resources. Creating an additional layer of oversight is unnecessary and unproductive.

CHRC Steering Committee:

American Rivers, American Whitewater, California Outdoors, California Sportfishing Protection Alliance, California Trout, Foothill Conservancy, Friends of the River, Natural Heritage Institute, Trout Unlimited

A coalition of national, statewide and local organizations working to restore and enhance rivers in California through the federal hydropower relicensing process using collaboration, technical and scientific expertise, and the promotion of public involvement.

The CHRC urges you to change/clarify the PUC 335(f) language in the Governor's Proposed Energy Reorganization Plan to allow the State Water Resources Control Board and the California Department of Fish and Game to maintain their authority to represent the state in FERC hydropower licensing proceedings.

Thank you for this opportunity to comment and please contact me if you have any questions.

Sincerely,

Laura Norlander
Director